

U.S. v. Jack Carpenter
Case No: 23-20152
Mark A Goldsmith

B

Four months before my arrest I defeated the 15th District court in every legal argument I made. I was told by the clerk, the magistrate, the judge, and the court administrator I was wrong on the Law. In the end they were forced to acknowledge that everything I said was the Law. Then they had to wait for guidance because the court rules did not contain instructions on how to proceed with what I proved. That took 11 months, and they were just as assinine in their arrogance, and confident in their ignorance with an unwillingness to hear me.

There are pleadings the court struck where I only cite law and facts, and there are letters where I bait you into making, and accepting legal arguments you cannot make, but I knew you would since I know your biases better than yourselves. This is not a win for you, it just looks that way now. "The smear campaign is vile, but it ends up back for them, not you."

Please file the following legal document full of incompetence, and lacking understanding of facts. Adopted or not by the Supreme Court, it generates the outcome I intended when I baited you all into arresting me.

This is the ~~beginning~~ beginning of your downfall. I win with words. The last 4 questions in the application lead to those responsible for my death that has not happened yet.

F I L E D
MAY 24 2024
CLERK'S OFFICE
DETROIT

Jack Carpenter
AB

PS. Let's all stop pretending that the attorney that said if I won my appeal it proved

impotence, and then delayed the appeal for seven months claiming that he did it because he thought for sure I would be found competent works for me. We can also stop pretending I didn't predict the US Attorney's arguments before my arrest, and that a judge who ignores that the defense attorney stated a conflict of interest has any interest in justice. Kind of hard to hide that obvious coordinated effort to prevent my defense from being ruled on its merits.

To save money I don't have, your copy is not double spaced, and it is hand copied as well as missing a few pages required by court rules that are in the version being sent to the Supreme Court. See you in a few months when they ask for permission to force medicate me by putting it in my food like the Tarot readers explain. Then your lives get complicated.

No. _____

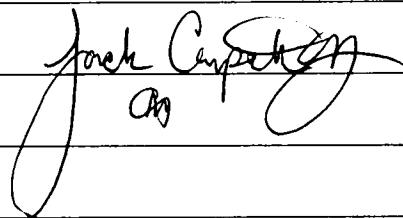
IN THE SUPREME COURT OF THE UNITED STATES

In re Jack Carpenter III - Petitioner

Motion for leave to proceed in forma pauperis

The petitioner asks leave to file the attached petition for writ of habeas corpus without prepayment of costs and to proceed in forma pauperis.

Petitioner has previously been granted leave to proceed in forma pauperis in the United States District Court Eastern District of Michigan Southern division.


Jack Carpenter
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No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

In Re Jack Carpenter III - Petitioner

On petition for a writ of Habeas Corpus

Petition for writ of Habeas Corpus

Jack Carpenter III

105 East Ice Dr.

Midland, Michigan, 48642

Questions Presented

1. Is a challenge to jurisdiction, with or without merit, evidence of incompetence?
2. Are religious beliefs or beliefs founded upon religious practices evidence of incompetence?
3. Is the right to effective assistance of counsel violated when an attorney with an admitted conflict of interest who refuses to call witnesses in your favor and prevents evidence from entering the record is representing you at an 18 USC § 4247(d) hearing?
4. Is due process violated when the Court places the burden of proving jurisdiction is lacking on the defense, then proceeds as if jurisdiction is proven?
5. Does 28 USC § 1654 supersede a Court's duty to look into jurisdiction at all times by creating a discretion to observe a pro se challenge or does the presumption jurisdiction is lacking pre-empt the application of 28 USC § 1654? Does the presumption jurisdiction is lacking pre-empt 18 USC § 4241?
6. Is the right to proceed pro se inhibited when a party moves for competency evaluation or does a person have the right to proceed pro se except for at the 18 USC § 4247(d) hearing where the statute only requires representation "During the hearing"? Are you presumed incompetent until proven competent because a party moved for evaluation?
7. Can the Court prevent testimony that a person is the Head of State of a self-declared government?

Do statutes employing the word "threat(s)" inherently exclude lawful behavior such as lawful force in defense of self or others?

In a defense of self or others case, can the role of a jury to determine if a reasonable person would believe force was necessary given the circumstances known to the defendant be transferred to the forensic psychologist and the judge in a competency ~~evaluation~~ evaluation?

Can a competency evaluation be requested "to determine if there is a reasonable belief of incompetence"?

If a State Constitution codifies the right to revolt and to "form a new government", can the Federal Courts claim the exercise of that right "seems irrational"? Can Federal Courts interpret the extent of a right, and the circumstances it is lawful under State law?

If the government is calling a portion of the citizenry "Insurgents" involved in an "Insurrection" granting a qualified war status, acknowledging a state of war, and placing troops in Washington, DC as a display of belligerent occupation, was the Geneva Convention Treaty active? Was it a war crime to require people to take experimental medication licensed under 21 CFR 312 to access the public trust while shaming people based on health status under Article 27 and 32?

Does the 5th Amendment apply to competency evaluations? Is the exercise of that right "good cause" to request extensions to the evaluation delaying speedy trial rights by months?

14. If government officials call medication a "vaccine", but the manufacturers testify under oath that it was not designed for, licensed to, nor tested to provide immunity for SARS-CoV-2, is that fraud?

15. If all Emergency Use Authorized medication is licensed under 21 CFR 312, and the definition of "experimental medication" is "any medication licensed under 21 CFR 312", and 21 CFR 312.7 makes it unlawful to claim medication with that license is "safe" or "effective" by the sponsor, and the sponsor is the US government under operation warp speed, is it fraud for a public servant to claim that medication is "safe" or "effective"?

16. If the President says on TV about a medication, "What are you waiting for, it's FDA approved," when the manufacturer states they have no intention of manufacturing an FDA approved version, ~~that is experimental by legal designation~~ and only the "legally distinct, medically similar" EUA approved version, that is experimental by legal designation, is available, is that an impeachable offense?

17. If Former President Trump signs an executive order tasking the National Institute of Health with developing a plan to "manufacture public funding" and "manufacture public demand" of new vaccine technologies, then Eco-Alliance Health requests ~~the~~ DARPA funding to release a human engineered coronavirus into the bat population in China, then a Pandemic is caused by a novel coronavirus from bats in China, then the government funds new vaccine technology under operation warp speed, is that probable cause of a war crime?

Statement of the Case

I am being detained by Captain in midland county jail in Michigan under authority of the Attorney General. I am charged with violating 18 USCS § 875(c). I wish to present, among others, two main defenses to this charge. First, that under the law of Nations I cannot be made subject to a Foreign tribunal. Second, even if I was, I did not issue a "threat" under your laws as I used reasonable and lawful force to stop or prevent crimes against persons, and words are the lowest form of force therefore inherently lawful against those committing crimes against persons. The US Attorney has used a motion for competency as a bad faith effort to avoid these defenses, and prevent them from being heard on their merits. The defense attorney assigned to the case prevented the challenge to jurisdiction during an oral hearing on June 6th, 2023. During the hearing the court recognized the challenge of jurisdiction, and requested that prosecution prove for the record that jurisdiction exists. The US Attorney stated that they did not understand the challenge, that they were aware that the court struck a motion challenging it, but they did not remember what it said, and since it was struck they could not see it. They asked if Defense counsel could re-file it to answer the challenge. Defense counsel told the court that it should exercise jurisdiction to determine competency, then if I am found competent, the court can look into the issue of jurisdiction to figure out if the court had authority to look into competency. The court then exercised jurisdiction without the prosecution having to prove it. The court shifted the burden of jurisdiction to defense, then abandoned the duty to look into jurisdiction.

"Federal Courts are courts of limited jurisdiction, possessing only that power authorized by the Constitution and Statute" *Hudson v Coleman*, 347. F.3d 138, 141 (6th Cir. 2003) "Accordingly, it is presumed that a cause lies outside this limited jurisdiction" ... "burden of

establishing the contrary rests upon the party asserting jurisdiction" ... "Without jurisdiction the court cannot proceed at all in any cause." *Steel Co. v. Citizens for a better Env't*, 523 U.S. 83, 94, 118 S. Ct. 1003, 140 L. Ed. 2d. 210 (1988) "The requirement that jurisdiction be established as a threshold matter springs from the nature and the limits of the judicial power of the United States and is inflexible and without exception." *Mansfield C. & L.M.R. Co. v. Swan* 111 U.S. 379, 382, 4 S. Ct. 510, 511, 28 L. Ed. 462 (1884)

The de facto existence of a state or nation is not dependent upon the will of or laws of any other state. The internal acts of a state are valid, regardless of the attitude of any other state. Each state is its own judge as to when the characteristics of statehood are met.

"War has been well defined to be, 'That state in which a nation prosecutes its right by force.' The parties belligerent in a public war are Independent nations. But it is not necessary to constitute war, that both parties be acknowledged as Independent nations or Sovereign states. A war may exist when a belligerent claims sovereign rights against the other" ... "A declaration was by one country only, is not a mere challenge to be accepted or refused by the other" ... "It is not necessary that the Independence of the revolted province or state be acknowledged in order to constitute it a party belligerent in a war according to the Law of Nations" ... "Now, it is a proposition never doubted, that the belligerent party who claims to be sovereign, may exercise both belligerent and sovereign rights." *Brig Amy Warwick*, 67 U.S. 635, March 10, 1863

Belligerency is a question of fact, not theory. The admission of Insurgent status or the recognition of belligerency does not imply anything as to the political status of a nation. In the first place there is a qualified war status, and in the second a full war status.

"Sovereignty is absolute and universal. This is the general rule. But it is contended there is an exception in four cases 1. As to the person of the Sovereign ... 4. As to his property." ... When "he appears in his sovereign character" ... "no consent to submit to the ordinary tribunals of the country can be implied" ... "If the courts of the United States should exercise such a jurisdiction, it will amount to a judicial declaration of war." ... "If a foreign sovereign be found in the territory, he is not liable to ordinary jurisdiction." The Schooner Exch. v. Mcfaddon, 11 U.S. 116, March 2, 1812

"Persons or Vessels employed in the service of a self declared government, thus acknowledged to be maintaining its separate existence by war, must be permitted to prove the fact of their being actually employed in such service, by the same testimony which would be sufficient to prove that such Vessel or person was employed in the service of an acknowledged state." U.S v Palmer, 1818 U.S LEXIS 380, US Supreme Ct., March 14, 1818

In this case I was denied the ability to prove a legal status due to the US Attorney and the court declaring that the exercise of the Law of Nations "seems irrational" and is simply evidence of incompetence, not law. After Defense counsel told the court to exercise jurisdiction, and after I am found competent, I can prove the court never had jurisdiction Pro Se, I filed an appeal arguing: that counsel caused a due process issue; that the court was operating under the presumption that jurisdiction existed without proof; that jurisdiction cannot be used as evidence of incompetency because it was challenged whether the challenge was meritless or not; that religious beliefs and beliefs inferred from a religious practice cannot be used to deny a trial; and that counsel was ineffective. When the 6th Circuit granted my appeal counsel wrote a letter stating that there was a conflict of interest in representing me.

I sent that letter to the court with a reply telling him to remove himself. He instead delayed my appeal for seven months, and represented me at the 18 USCS § 4247(d) hearing despite multiple attempts to have him removed. At the hearing he refused to call witnesses in my favor to confirm events the U.S Attorney called "delusions" despite being provable fact, and prevented evidence from entering the record to support what I claimed. He admits to this in his brief. The judge was aware of this, yet never looked into the conflict of interest.

The US Attorney argued that if I was found competent that 18 USCS § 875(c) does not exclude innocent behavior such as lawful force in defense of self or others. But also that claiming US officials purposefully released SARS-CoV-2 to achieve military goals for Israel and launder tax money through corporations controlled by Israeli Jews, like Pfizer, is "common sense" a delusion. They also argued that despite EUA (Emergency Use Authorized) medication is subject to 21 CFR 312.7, that saying it was unlawful to claim the medication was "safe" or "effective" was a delusion. The forensic Psychiatrist claimed that my appeal was a delusion as was the presumption that a person can use lawful force, and mis-stating my religious beliefs, concluded that they were evidence of mental illness. All of this resulted in placing my defense of others claim in front of the judge, and the forensic psychologist as a means to usurp the role of the jury, and place it with the judge. Defense attorney preventing evidence to support these claims when it exists left the question of whether these beliefs are delusions or supported by evidence an open question for the Judge.

I filed a second appeal arguing that 28 USCS § 11654 does not remove the court's duty to look into jurisdiction because the court must assume

jurisdiction is lacking, and in that ~~case~~ circumstance the court cannot claim that it has discretion to ignore a challenge to jurisdiction citing a statute that can only apply when the court has jurisdiction over the case. Additionally, as 18 USCS § 4247(d) only requires representation "during the hearing", I should have been allowed to pursue the challenge to jurisdiction pro se, regardless of whether or not the prosecution requested a competency valuation "to determine if a reasonable belief exists" that I was not competent. The court has deemed me incompetent to stand trial, and now after 15 months of incarceration I am informed that I am too insane for a trial. I expect to be moved to another facility while this petition is in the mail. I do not know where.

It is worthy of note that the US Intelligence Committee has stated that the US Intelligence Community is lying about the origins of SARS-CoV-2, and has requested a special prosecutor to investigate. The facts show that it was released with the intent to cause panic to "manufacture public demand" and "manufacture public funding" of new vaccine technologies, and the last two Presidential Administrations participated in this Crime Against Humanity. It is not "paranoia" that the perpetrators of these criminal acts would go to extremes to avoid public knowledge and prosecution of these crimes. It is, to quote the prosecution, "common sense" they would. I am entitled to this defense.

Reasons for Petition - The decisions of the lower court conflict with decisions of the Supreme Court. The decisions of the lower court conflict with the law of Nations. There are questions of law that fall within the original jurisdiction of this court. Being denied a trial is not a harmless error. Counsel interferes with all appeals, and fails to provide documentation. Lower courts are operating without jurisdiction being proven, and circuit courts do not provide a remedy. I am left with no options but this remedy.

Jack Carpenter
105 East Lee Dr
Midland, MI
48642

The writer of this letter
is an inmate in the
Midland County Jail
Midland, MI 48642

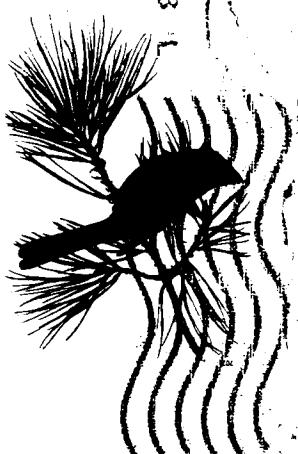
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Clerk of the Court of
Mark A Goldsmith

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